

## REMARKS/ARGUMENTS

### STATUS OF THE CLAIMS

Claims 26-28, 33-46, 306, 307, and 309-312 are pending with entry of this amendment. Claims 26, 28, 33, 35, and 309-311 are amended herein. These amendments introduce no new matter and support is replete throughout the specification. These amendments are made without prejudice to renewal of the claims in their original form and are not to be construed as abandonment or dedication of the previously claimed subject matter or agreement with any objection or rejection of record.

Claims 26, 28, 309, and 310 have been amended to clarify that the inclusion of a phosphobinder in the caged sensor is optional. As noted below, these amendments were discussed with the Examiner on January 26, 2009, and the approval of the Examiner and Primary Examiner for the amendments was indicated on February 3, 2009.

Claims 33, 309, and 311 have been amended to specify that the presence of the second caging groups (not of the phosphobinder) on the phosphobinder prevents the phosphobinder from binding the phosphorylated substrate, to correct an apparent typographical error in the Examiner's Amendment. As noted below, these amendments were discussed with the Examiner on January 26, 2009. Claims 33 and 311 have been further amended to recite "binding" rather than "binding on," to correct an apparent typographical error in the Examiner's Amendment.

Claims 26, 28, 33, 35, and 309-311 have been amended to delete "and" after part a and add "and" after part b, consistent with the Examiner's addition of part c to each claim.

Claim 26 has been amended to remove the term "which" from line 29, consistent with the Examiner's addition of part c to the claim.

Claims 28 and 310 have been amended to add "(c)," for consistency with the Examiner's amendments to the claims.

Claim 309 has been amended to recite "the phosphobinder" in line 29 rather than "a phosphobinder" for consistency of antecedent basis with the Examiner's amendments to the claim.

### INTERVIEW SUMMARY

Applicants thank Examiner Yu for the courtesy extended to the undersigned (Monicia Elrod-Erickson) in conducting a telephone discussion with the Examiner on January 26, 2009.

Applicants' representative noted that, although claim 308 was included in the listing of allowed claims in the Notice of Allowability mailed December 31, 2008, claim 308 had previously been canceled in a response filed September 15, 2008. The Examiner indicated a corrected Notice of Allowability would be mailed reflecting this previous cancellation of claim 308.

Applicants' representative noted that the Examiner's Amendment included with the Notice of Allowability mailed December 31, 2008 had introduced an error into claims 33, 309, and 311: part c of each of these claims in the Examiner's Amendment includes the phrase "wherein the presence of the *phosphobinder* prevents the phosphobinder from..." whereas the phrase should read "wherein the presence of the *second caging groups* prevents the phosphobinder from..." The Examiner suggested that this issue be corrected by Applicants in an amendment under 37 CFR 1.312. Applicants have amended the claims accordingly herein.

Applicants' representative noted that the Examiner's Amendment to claims 26, 28, 309, and 310 made it appear that the caged sensor must include a phosphobinder, whereas in the claims as previously presented and discussed the presence of the phosphobinder is optional (with specific reference to, e.g., claim 26 lines 24-28, which present two options - a conformational change, which would not require the presence of the phosphobinder, *or* binding of the phosphobinder, which would require presence of the phosphobinder). The Examiner indicated this alteration had been inadvertent. Applicants suggested amending claims 26, 28, 309, and 310 to clarify that the presence of the phosphobinder in the caged sensor is optional. In a follow-up voicemail on February 3, 2009, the Examiner stated that the Examiner and the Primary Examiner had discussed the proposed amendment, and that an amendment by Applicants adding the word "optionally" to these claims would be acceptable. Applicants have therefore amended the claims accordingly herein. Applicants note that the affected claims were incorrectly identified in the Examiner's Interview Summary of March 3,

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2009, and that the issue was incorrectly stated as being that the second caging groups (rather than the phosphobinder) are optional.

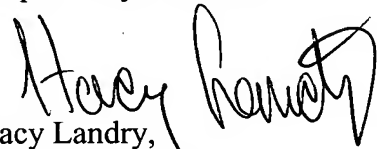
Applicants submit that no new matter has been added to the application by way of the above claim amendments, which merely address formal matters or issues upon which agreement was previously reached with the Examiner and Primary Examiner, as described above. Accordingly, entry of the Amendment is respectfully requested.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for issuance.

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Respectfully submitted,



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